

SCOTTSDALE

# CITY COUNCIL MEETING



\*\*\*AGENDA\*\*\*

(ITEM #18 CONTINUED, ITEM #21 RES. 6374 ADDED)

## COUNCIL

Mary Manross, Mayor

Wayne Ecton

Robert W. Littlefield

Cynthia Lukas

Ned O'Hearn

David Ortega

Tom Silverman

Tuesday, September 23, 2003

## MARKED AGENDA

5:00 P.M.

## CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard – **5:07 P.M.**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **SCOUT TROOP #523**

Invocation - **PASTOR TOM JELINEK OF LOS ARCOS UNITED METHODIST CHURCH**

**Public Comment – JANE RAU – URGED COUNCIL TO REVERSE THE DRB DECISION TO ALLOW A 40' TOWER AT THE DREAM CENTER IN THE AREA COVERED BY THE DESERT FOOTHILLS OVERLAY; JEFF BARTLE – REQUESTED THAT THE MAYOR SEND A LETTER OF APOLOGY TO THE MILITARY FOR COUNCILMAN ECTON'S COMMENTS AND REASSURING THE PERSONNEL THAT THEIR PLANES ARE WELCOME AT THE SCOTTSDALE AIRPORT; LOIS FITCH – ANNOUNCED THAT MONEY IS BEING RAISED FOR A WINFIELD SCOTT MEMORIAL; LYLE WURTZ – URGED THE CITY TO REJECT THE GAIAT'S ULTIMATIM FOR NEW FACILITIES**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

**Minutes - OK – 7/0**

## SPECIAL MEETINGS

Monday, September 8, 2003

Tuesday, September 9, 2003

## REGULAR MEETINGS

Monday, September 8, 2003

Tuesday, September 9, 2003

## EXECUTIVE SESSIONS

**1. British Open Pub and Grill Liquor License – OK - C**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing location currently operating with a series 12 license.

**Location:** 1334 N Scottsdale Rd

**Reference:** 58-LL-2003

**Staff Contact(s):** Jeff Fisher, Plan Review Director, 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov);

**2. Cabana's Liquor License – OK - C**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing location that previously operated with a series 12 license under the business name Soho Restaurant.

**Location:** 6810 E 5th Av

**Reference:** 59-LL-2003

**Staff Contact(s):** Jeff Fisher, Plan Review Director, 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)

**3. Pizza Picazzo Liquor License – OK - C**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for a newly constructed restaurant location.

**Location:** 7325 E Frank Lloyd Wright Bl

**Reference:** 60-LL-2003

**Staff Contact(s):** Jeff Fisher, Plan Review Director; 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)

**4. Café Citron Liquor License – OK - C**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for an existing café location that previously operated without a liquor license.

**Location:** 6166 N Scottsdale Rd

**Reference:** 61-LL-2003

**Staff Contact(s):** Jeff Fisher, Plan Review Director; 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)

**5. The Apple Café Liquor License – OK - C**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) State liquor license for a new restaurant location.

**Location:** 15040 N Northsight Blvd

**Reference:** 62-LL-2003

**Staff Contact(s):** Jeff Fisher, Plan Review Director, 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)

**6. The Swamp Stomp – OK – 6/1 (W.E.)**

**Request:** Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an existing establishment currently operating with a series 06 (bar) liquor license.

**Location:** 10201 N Scottsdale Rd I7

**Reference:** 23-EX-2003

**Staff Contact(s):** Jeff Fisher, Plan Review Director, 480-312-7619, [jfisher@ScottsdaleAZ.gov](mailto:jfisher@ScottsdaleAZ.gov)

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## 7. **Burkhardt Property Abandonment – OK - C**

**Request:** Consider the following:

1. Abandon a 55 foot roadway and public utility easement along Dixileta Drive and 112th Street of Parcel 23, Goldie Brown Pinnacle Peak Ranch Unit Three.
2. A 30 foot roadway along Morning Vista Drive alignment of Parcel 23, Goldie Brown Pinnacle Peak Ranch Unit Three.
3. This abandonment is subject to the approval and recording of the Sonoran Reserve final plat.
4. Adopt Resolution No. 6227.

**Location:** Southeast corner of 112th Street and Dixileta Drive

**Reference:** 8-AB-2002

**Staff Contact(s):** Pete Deeley, Project Coordination Manager, 480-312-2554, [pdeeley@ScottsdaleAZ.gov](mailto:pdeeley@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager, Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)

## 8. **Sonoran Reserve (Burkhardt Property) Final Plat – OK - C**

**Request:** Approve a Final Plat. Six (6) residential lots with amended development standards are proposed on the parcel.

**Location:** Southeast corner of Dixileta & 112th St

**Reference:** 20-PP-2002

**Staff Contact(s):** Al Ward, Senior Planner, 480-312-7067, [award@ScottsdaleAZ.gov](mailto:award@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager, Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)

## 9. **DC Ranch Parcel 1.13 Final Plat – OK – 5/2 (W.E., R.L.)**

**Request:** Approve a Final plat for DC Ranch Parcel 1.13.

**Location:** Planning Unit 1 at DC Ranch - Parcel 1.13

**Reference:** 3-PP-2003

**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)

## 10. **DC Ranch Parcel 1.17 Final Plat – OK – 5/2 (W.E., R.L.)**

**Request:** Approve the Final Plat for 167 residential lots on a 47+/- acre parcel.

**Location:** Planning Unit 1 at DC Ranch (Union Hills Dr. east of Pima, west of 94th St.)

**Reference:** 4-PP-2003

**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)

## 11. **DC Ranch Parcel 1.14 Final Plat – OK – 5/2 (W.E., R.L.)**

**Request:** Approve a Final Plat for 77 residential lots on a 22 +/- acre parcel.

**Location:** Southeast corner of 94th St. & Union Hills Dr.

**Reference:** 7-PP-2003

**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)

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- 12. DC Ranch Parcel 1.11 Final Plat – OK – 5/2 (W.E., R.L.)**  
**Request:** Approve the Final Plat for 87 residential lots on a 37+/- acre parcel.  
**Location:** East side of 94th St. between Union Hills Dr. & Bell Rd.  
**Reference:** 8-PP-2003  
**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)
- 13. Benchmark Design Conditional Use Permit – OK - C**  
**Request:** Approve a conditional use permit for Furniture Manufacturing or Refinishing in four suites of an existing building located at 7848 E Redfield Road with Industrial Park District (I-1) zoning.  
**Location:** 7848 E Redfield Rd  
**Reference:** 10-UP-2003  
**Staff Contact(s):** Bill Verschuren, Senior Planner, 480-312-7734, [bverschuren@ScottsdaleAZ.gov](mailto:bverschuren@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager, Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)
- 14. Basis Charter School Conditional Use Permit – OK - C**  
**Request:** Approve a conditional use permit for a Private/Charter School on a 1 +/- acre parcel located at 9128 E San Salvador with Industrial Park, Planned Community District (I-1, PCD) zoning.  
**Location:** 9128 E San Salvador Dr  
**Reference:** 12-UP-2003  
**Staff Contact(s):** Bill Verschuren, Senior Planner, 480-312-7734, [bverschuren@ScottsdaleAZ.gov](mailto:bverschuren@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager, Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)
- 15. DC Ranch Village Health Studio And Spa Conditional Use Permit – OK - C**  
**Request:** Approve a conditional use permit for a health studio on a 6.3 +/- acre parcel located at the southeast corner of Union Hills Drive and Thompson Peak Parkway with Planned Commercial Center, Planned Community District (PCC, PCD) zoning.  
**Location:** 10101 E Thompson Peak Parkway  
**Reference:** 13-UP-2003  
**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager, Planning & Development Services Department, 480-312-7064, [kekblaw@ScottsdaleAZ.gov](mailto:kekblaw@ScottsdaleAZ.gov)
- 16. Funding for LINKS Community Collaborative – OK - C**  
**Request:** Consider adopting Resolution No. 6372 to authorize signature authority and an expenditure of \$42,000 from the operating budget for agreements relating to the LINKS Community Collaborative. This action will renew the City's commitment to LINKS for the 2003-04 fiscal year.  
**Related Policies, References:** Resolutions No. 4397, 4911, 5351, 5883 and 6129  
**Staff Contact(s):** Judy Register, General Manager, (480) 312-2454, [jregister@scottsdaleaz.gov](mailto:jregister@scottsdaleaz.gov)
- 17. Construction Bid Award for Waterline Replacements in the area bounded by Pinnacle Peak Road, Happy Valley Road, Hayden Road and Pima Road – OK - C**  
**Request:** Authorize Construction Bid Award No. 04PB005 to the Holloman Corporation, the lowest responsive bidder, at their unit price bid of \$1,909,159.26.  
**Staff Contact(s):** Alison Tymkiw, Sr. Project Manager, (480) 312-7985, [atymkiw@scottsdaleaz.gov](mailto:atymkiw@scottsdaleaz.gov); Al Dreska, Capital Project Management Administrator, 480-312-2776, [adreska@scottsdaleaz.gov](mailto:adreska@scottsdaleaz.gov)

**\*\*\*18. City of Scottsdale adv. Allied Construction, Inc. – CONTINUED TO OCTOBER 13, 2003- OK – 7/0**

**19. Purchase of commercial software to operate a Crime Laboratory Information Management System (LIMS) – OK - C**

**Request:** Adopt Resolution No. 6352 authorizing the Police Department to accept a one-year grant in the amount of \$96,276 from the Arizona Criminal Justice Commission for a Full-Service Forensic Criminal Laboratory Grant Program. The grant will allow the Police Department to purchase commercial software to develop a computer-based crime laboratory information and reporting management tracking system that includes instrumental data storage and retrieval. The grant was anticipated and included in the approved FY 03/04 Budget. There are no city cost-sharing agreements.

**Related Policies, References:** Resolution No. 6352 and Resolution No. 6142.

**Staff Contact(s):** Steve Garrett, Forensic Services Division, 480-312-5280, [sgarrett@scottsdaleaz.gov](mailto:sgarrett@scottsdaleaz.gov); C. Brad Woodford, City Attorney, 480-312-2405, [bwoodford@scottsdaleaz.gov](mailto:bwoodford@scottsdaleaz.gov)

**20. Contracts for employee health care and life insurance benefits. – OK – 6/1 (R.L.)  
AMENDMENT TO REQUIRE THE CONTRACTS TO BE BROUGHT BEFORE COUNCIL IN 18 MONTHS AND NOT RENEWED ADMINISTRATIVELY – AMENDMENT DIED FOR LACK OF A SECOND**

**Request:** Authorize the following six contracts for employee health care and life insurance benefits for an 18 month cycle beginning January 1, 2004, subject to negotiation of final terms and conditions which will not impact the established contractual rates and services (see Attachment A for summary of contractual rates and services):

1. Authorize contract #2003-148-COS with Aetna Life Insurance Company (Aetna) to provide medical and pharmaceutical networks and discounts, and related customer support and administrative services to implement the City's self-insured HMO health insurance option (referred to as the "Aetna Open Access Elect Choice/EPO").
2. Authorize contract #2003-149-COS with Mayo Health Plan Arizona (Mayo) to provide medical and pharmaceutical networks and discounts, and related customer support and administrative services to implement the City's self-insured PPO health insurance option (referred to as the "Mayo Health Tradition Plus/PPO").
3. Authorize contract #2003-150-COS with Life Insurance Company of North America (Cigna Group Insurance) for basic and voluntary life insurance.
4. Authorize contract #2003-151-COS with CIGNA Behavioral Health for behavioral health care services.
5. Authorize contract #2003-152-COS with Fortis Benefits Insurance Company for a fully insured pre-paid dental plan option (referred to as the Summit Plan Dental HMO – Plan 2).
6. Authorize contract #2003-153-COS with Aetna Life Insurance Company for voluntary long-term care insurance.

**Related Policies, References:**

- Scottsdale Revised Code Section 14-102 relating to the contribution of City funds for health/life insurance benefits and related contractual requirement (see section on Policy Implications, page 6).
- Scottsdale Revised Code Sections 2-180 through 2-215 relating to procurement.

**Staff Contact(s):** Neal Shearer, Human Resources General Manager, 480-312-2604, [nshearer@scottsdaleaz.gov](mailto:nshearer@scottsdaleaz.gov)

# CONSENT AGENDA

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## \*\*\*21. Taliesin West Destination Attraction Development and Preservation Agreement – OK - C

**Request:** Council is requested to approve **Resolution No. 6374** approving City of Scottsdale Agreement No. 2003-158-COS with the Frank Lloyd Wright Foundation for the development of new destination attraction features at Taliesin West, and in Downtown Scottsdale, and for the acquisition of a conservation easement within the McDowell-Sonoran Preserve boundary.

**Related Policies, References:** January 21, 2003 Council action authorizing staff to negotiate a contract implementing the elements of the proposal in substantial conformance to the staff report presented to the Tourism Development Commission; Resolution 6244 declaring the City's intent to advance funds not to exceed \$15,000,000 for the Taliesin West, Loloma Museum and Canal Bank Improvement projects.

**Staff Contact(s):** Kathy Carlisle O'Connor, Tourism Development Manager, Economic Vitality Department, 480.312.7057, [kcoconnor@scottsdaleAZ.gov](mailto:kcoconnor@scottsdaleAZ.gov); Robert Cafarella, Director of Preservation, Preservation Department, 480.312.2577 E-mail: [rcafarella@scottsdaleAZ.gov](mailto:rcafarella@scottsdaleAZ.gov); Rebecca Eickley Finance and Energy Manager, 480.312.7084, [reickley@scottsdaleAZ.gov](mailto:reickley@scottsdaleAZ.gov)

## REGULAR AGENDA ITEMS 22 - 23

### 22. McDowell Village Rezoning – OK- 7/0

**Request** to approve:

1. To rezone from Regional Shopping Center District (C-S) to Planned Community District (PCD) with underlying zoning comparable to Regional Shopping Center District (C-S) and Multi-Family Residential District (R-5) with a development agreement on a 13.3 +/- acre parcel located at the northwest corner of Granite Reef and McDowell Roads.
2. A municipal use master site plan for a Senior Center on a portion of a 13.3 +/- acre parcel located at the Northwest corner of Granite Reef and McDowell Roads.
3. Adoption of Ordinance No. 3526 affirming the above rezoning and amended development standards.
4. Adoption of Resolution No. 6371 authorizing the Mayor to execute the Development Agreement No. 2003-160-COS.

**Location:** 8302 E McDowell Rd

**Reference:** 9-ZN-2003 & 15-UP-2003

**Staff Contact(s):** Tim Curtis, Project Coordination Manager, 480-312-4210, [tcurtis@ScottsdaleAZ.gov](mailto:tcurtis@ScottsdaleAZ.gov); Kroy Ekblaw, General Manager, Planning & Development Services Department, 480-312-7064, [kekblaw@scottsdaleaz.gov](mailto:kekblaw@scottsdaleaz.gov)

### 23. Temporary fee reduction program for downtown and other potential locations – MOTION TO ADOPT RESOLUTION NO. 6373 EXTENDING THE END DATE OF THE EXISTING TEMPORARY FEE REDUCTION PROGRAM FOR THE DOWNTOWN 9 MONTHS AND EXPANDING THE PROGRAM TO INCLUDE THE AREA SOUTH OF CAMELBACK ROAD IN THE COMMERCIAL CATEGORY. – OK – 7/0

**Request:**

- 1) Adopt Resolution No. 6373 extending the end date of the existing Temporary Fee Reduction Program for Downtown, and;
- 2) Provide staff with direction on the potential of expanding the program into other areas of the community.

**Related Resolution:** The existing Temporary Fee Reduction Program was approved by City Council on January 21, 2003 through adoption of Resolution No. 6238.

**Staff Contact(s):** David Roderique, Economic Vitality Department, General Manager, (480) 312-7601 [droderique@scottsdaleaz.gov](mailto:droderique@scottsdaleaz.gov); Harold Stewart, Economic Vitality Department, Business Services Manager, (480) 312-2311, [hstewart@scottsdaleaz.gov](mailto:hstewart@scottsdaleaz.gov); Jon Chase, Planning and Development Services Dept., Principal Planner, (480) 312-2578, [jchase@scottsdaleaz.gov](mailto:jchase@scottsdaleaz.gov)

**Public Comment - NONE**

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

**City Manager's Report - NONE**

**Mayor and Council Items – COUNCILMAN ORTEGA – REQUESTED THAT STAFF REINSTITUTE THE CHARTER ADVISORY COMMITTEE FOR CHARTER AMENDMENT CHANGES**

**Adjournment - 9:34 P.M.**